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to this section shall constitute a privilege conferred upon a carrier, which may be enjoyed only to the extent that its continued exercise remains in the interest of the public. Accordingly, any Special Authorization issued pursuant to this section may be revoked, suspended, amended or restricted without hearing.

(Sec. 204(a) of the Federal Aviation Act of 1958, as amended, 72 Stat. 743 (49 U.S.C. 1324); Reorganization Plan No. 3 of 1961, 75 Stat. 837, 26 FR 5989 (49 U.S.C. 1324 (note)))

[ER-525, 33 FR 692, Jan. 19, 1968, as amended by ER-910, 40 FR 23844, June 3, 1975; ER-1060, 43 FR 34117, Aug. 3, 1978]

### §216.5 Existing permits.

“Foreign aircraft permits” issued by the Board under the provisions of part 375 of the Board’s Special Regulations, authorizing the combined carriage of blind sector traffic as defined in this part, shall continue in effect in accordance with their terms until their expiration date unless sooner terminated, revoked or modified by the Board. Such permits shall, upon the effective date of this part, be deemed to constitute a Special Authorization issued pursuant to §216.4.

### §216.6 Existing unauthorized operations.

Notwithstanding the provisions of §216.3, if within 30 days after the effective date of this part a carrier files an application for a Special Authorization to continue to perform existing blind sector operations which have been regularly performed by such carrier commencing on a date prior to August 9, 1967, such carrier may continue to engage in such blind sector operations until final decision by the Board on such application: *Provided*, That any such application shall, in addition to the requirements of §216.4(a), contain a statement that the carrier is relying upon this section for continuance of preexisting blind sector operations, and shall fully describe such operations including the date inaugurated, and the frequency and continuity of performance.

## 14 CFR Ch. II (1–1–00 Edition)

### PART 217—REPORTING TRAFFIC STATISTICS BY FOREIGN AIR CARRIERS IN CIVILIAN SCHEDULED, CHARTER, AND NON-SCHEDULED SERVICES

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AUTHORITY: 49 U.S.C. 329 and chapters 401, 413, 417.

SOURCE: 53 FR 46294, Nov. 16, 1988, unless otherwise noted.

#### §217.1 Definitions.

As used in this part:

*Foreign Air Carrier* means a non-U.S. air carrier holding a foreign air carrier permit or exemption authority from the Department of Transportation.

*Large Aircraft* means an aircraft designed to have a passenger capacity of more than 60 seats or a payload of more than 18,000 pounds.

*Small Aircraft* means an aircraft that is not a large aircraft.

*Statement of Authorization* under this part means a statement of authorization from the Department, pursuant to 14 CFR part 207, 208, or 212, as appropriate, that permits joint service transportation, such as blocked space agreements, part-charters, code-sharing or wet-leases, between two direct air carriers holding underlying economic authority from the Department.

#### §217.2 Applicability.

This part applies to foreign air carriers that are authorized by the Department to provide civilian passenger and/or cargo scheduled, nonscheduled and charter services to or from the United States, whether performed pursuant to a permit or exemption authority. Operations conducted wholly with small aircraft are exempt from the requirements of this part. Where the service operations involve both large

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and small aircraft, only the large aircraft services must be reported.

### §217.3 Reporting requirements.

(a) Each foreign air carrier shall file BTS Form 41 Schedule T-100(f) "Foreign Air Carrier Traffic Data by Non-stop Segment and On-flight Market." All traffic statistics shall be compiled in terms of each flight stage as actually performed.

(b) The traffic statistics reported on Schedule T-100(f) shall be accumulated in accordance with the data elements prescribed in §217.5 of this part, and these data elements are patterned after those in section 19-5 of part 241 of this chapter.

(c) One set of Form 41 Schedule T-100(f) data shall be filed.

(d) Schedule T-100(f) shall be submitted to the Department within thirty (30) days following the end of each reporting month.

(e) Schedule T-100(f) shall be filed with the Bureau of Transportation Statistics at the address referenced in §217.10 and the Appendix to §217.10 of this part.

[53 FR 46294, Nov. 16, 1988, as amended at 60 FR 66722, Dec. 26, 1995]

### §217.4 Data collected (service classes).

(a) The statistical classifications are designed to reflect the operating elements attributable to each distinctive class of service offered for scheduled, nonscheduled and charter service.

(b) The service classes that foreign air carriers shall report on Schedule T-100(f) are:

- (1) F Scheduled Passenger/Cargo
- (2) G Scheduled All-Cargo
- (3) L Nonscheduled Civilian Passenger/Cargo Charter
- (4) P Nonscheduled Civilian All-Cargo Charter
- (5) Q Nonscheduled Services (Other than Charter). This service class is reserved for special nonscheduled cargo flights provided by a few foreign air carriers under special authority granted by the Department.

### §217.5 Data collected (data elements).

(a) Within each of the service classifications prescribed in §217.4, data shall be reported in applicable traffic elements.

(b) The statistical data to be reported on Schedule T-100(f) are:

(1) *Air carrier*. The name and code of the air carrier reporting the data. The carrier code is assigned by DOT. The Office of Airline Information (OAI'S) will confirm the assigned code upon request; OAI's address is in the Appendix to §217.10 of this part.

(2) *Reporting period date*. The year and month to which the reported data are applicable.

(3) *Origin airport code*. This code represents the industry designator as described in the Appendix to §217.10 of this part. A common private industry source of these industry designator codes is the *Official Airline Guides* (OAG). Where none exists, OAI will furnish a code upon request. OAI's address is in the Appendix to §217.10 of this part.

(4) *Destination airport code*. This represents the industry designator, from the source described in §217.5(b)(3).

(5) *Service class code*. For scheduled and other services, the applicable service class prescribed in §217.4 of this part shall be reported.

(6) *Aircraft type code*. This code represents the aircraft type, as specified in the Appendix to §217.10 of this part. Where none exists, OAI will furnish a code upon request.

(7) *Revenue aircraft departures performed (Code 510)*. The number of revenue aircraft departures performed.

(8) *Revenue passengers transported (Code 130)*. The total number of revenue passengers on board over a flight stage, including those already on the aircraft from previous flight stages. Includes both local and through passengers on board the aircraft.

(9) *Revenue freight transported (kilograms) (Code 237)*. The volume, expressed in kilograms, of revenue freight that is transported. As used in this part, "Freight" means revenue cargo other than passengers or mail.

(10) *Total revenue passengers in market (Code 110)*. The total number of revenue passengers enplaned in a market, boarding the aircraft for the first time. While passengers may be transported over several flight stages in a multi-segment market, this data element (code 110) is an unduplicated count of